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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/695,198	10/28/2003	Bernardo A. Huberman	200313922-1	4497
22879	7590	10/26/2009	EXAMINER	
HEWLETT-PACKARD COMPANY Intellectual Property Administration 3404 E. Harmony Road Mail Stop 35 FORT COLLINS, CO 80528				GELAGAY, SHEWAYE
ART UNIT		PAPER NUMBER		
2437				
			NOTIFICATION DATE	DELIVERY MODE
			10/26/2009	ELECTRONIC

**Please find below and/or attached an Office communication concerning this application or proceeding.**

The time period for reply, if any, is set in the attached communication.

Notice of the Office communication was sent electronically on above-indicated "Notification Date" to the following e-mail address(es):

JERRY.SHORMA@HP.COM  
ipa.mail@hp.com  
laura.m.clark@hp.com

UNITED STATES PATENT AND TRADEMARK OFFICE

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BEFORE THE BOARD OF PATENT APPEALS  
AND INTERFERENCES

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*Ex parte* BERNARDO A. HUBERMAN,  
STEPHEN P. SORKIN,  
and JOSHUA R. TYLER

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Application No. 10/695,198  
Technology Center 2400

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Mailed: October 26, 2009

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Before DELORES LOWE, *Review Team Paralegal*  
*LOWE, Review Team Paralegal.*

ORDER RETURNING UNDOCKETED APPEAL TO EXAMINER

This application was electronically received by the Board of Patent Appeals and Interferences on October 20, 2009. A review of the application revealed that it is not ready for docketing as an appeal. Accordingly, the application is herewith being returned to the Examiner to address the following matter requiring attention prior to docketing.

**EXAMINER'S ANSWER, EVIDENCE RELIED UPON**

Section 1207.02 of the *Manual of Patent Examining Procedure* (MPEP) (Eighth Edition, Rev. 6, September 2007) states:

(A) CONTENT REQUIREMENTS FOR EXAMINER'S ANSWER. The examiner's answer is required to include, under appropriate headings, in the order indicated, the following items:

....

- (8) Evidence Relied Upon. A listing of the evidence relied on (e.g., patents, publications, admitted prior art), and in the case of nonpatent references, the relevant page or pages.

The Examiner's Answer mailed July 23, 2009 is deficient because the “Evidence Relied Upon” section fails to include the reference Huberman “Enhancing Privacy and Trust in Electronic communities” cited on pages 4, 11 and 12 in the Examiner's Answer's grounds of rejection of Claims 1-6, 10-18, 20-21, 24 and 27 are rejected under 35 USC § 103 as being unpatentable over Huberman “Enhancing Privacy and Trust in Electronic Communities” in view of Drutman (PN 6,618,593); claims 22-23 and 25 are rejected under 103(a) as being unpatentable over Huberman “Enhancing Privacy and Trust in Electronic Communities” in view of Drutman (PN 6,618,593) and further in view of Yeager (2004/0133640); and claim 29 is rejected under 35 U.S.C. 103(a) as being unpatentable over Huberman

“Enhancing Privacy and Trust in Electronic Communities” in view of

Drutman (PN 6,18,593) and further in view of Doub (PN 6,594,762).

Correction is required.

In addition, it appears that the Examiner’s Answer cites “Yeager (US 2005/0086300)” as prior art of record. However, under the heading “Claim Rejections – 35 U.S.C. [103]” page 12, the examiner reference Yeager (SN2004/0133640). A clarification of which reference is the prior art relied upon in the rejection is required.

Accordingly, it is ORDERED that the application is returned to the Examiner:

- 1) to vacate the Examiner’s Answer mailed July 23, 2009;
- 2) to generate a revised Examiner’s Answer correctly setting forth the Evidence Relied Upon section and to correct other sections of the Answer as may be required; and
- 3) to include the approval of the TC Director or his/her designee (as may be required for any new grounds of rejection); and
- 4) such further action as may be required.

If there are any questions pertaining to this Order, please contact the Board of Patent Appeals and Interferences at 571-272-9797.

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HEWLETT-PACKARD COMPANY  
Intellectual Property Administration  
3404 E. Harmony Road  
Mail Stop 35  
FORT COLLINS CO 80528